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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,127	02/18/2004	Hobart DeHart	REEL:0020--1/YOD/GRA 00RE	3096
7590 12/13/2005			EXAMINER	
Alexander Gerasimow, Allen-Bradley Company Patent Dept., 704P Floor 8 T29 1201 South Second Street Milwaukee, WI 53204			PHAN, THIEM D	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/781,127		DEHART, HOBART	
	Examiner		Art Unit	
	Tim Phan		3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-13 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/18/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, Claims 1-13, filed on 10/13/05, is acknowledged.

The Restriction mailed on 9/22/05 has been carefully reviewed and is held to be proper. Moreover Applicant did not distinctly and specifically point out any error in the Restriction Requirement. Accordingly, Claims 14-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Groups, there being no allowable generic or linking claim.

The Restriction filed on 9/22/05 is hereby **made Final**.

Applicant has cancelled claims 14-22. An Office Action on the merits of Claims 1-13 now follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Claim 10 recites the limitation "the flexible material" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson (US 4,750,258).

As applied to claim 1, Anderson teaches a method of inserting windings, comprising:

- disposing a stator (Fig. 13, 3) having a plurality of stator leads (Fig. 13, G1-G3) into a lead separating assembly (Fig. 1, 1);
- gathering the plurality of stator leads together into a bundle (Fig. 13, G1A or G2A or G3b); and
- driving a lead separator (Fig. 14, 13) through the stator (Fig. 14, 3) into engagement with the plurality of stator leads (Fig. 14, G1A or G2A or G3B) gathered together to separate each of the plurality of stator leads gathered together.

As applied to claim 3, Anderson teaches that the plurality of stator leads (Fig. 14, G1A) extend freely from the stator (Fig. 14, 3).

As applied to claim 8, Anderson teaches a lead separator (Fig. 4, 13) with a plurality of outwardly extending teeth or fins (Fig. 4, 43 or 45) disposed circumferentially around the lead separator, wherein each tooth is adapted to penetrate the plurality of stator leads gathered together and to separate each the plurality of stator leads (Col. 11, lines 59-64) gathered together.

As applied to claim 9, Anderson teaches a lead separator (Fig. 4, 13), which is adapted to individually restrain each of the plurality of stator leads (Col. 11, lines 59-64) gathered together.

As applied to claim 10, as best understood, Anderson teaches that the plurality of teeth cooperate to direct each of the plurality of stator leads towards a flexible material of the stator slot, well known to be flexibly insulated.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 5-7 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Anderson.

As applied to claim 2, Anderson teaches a method of inserting windings, which reads on applicants' claimed invention, except for securing the stator to a pallet adapted to position the stator within a stator lead separating device or base system (Fig. 2, 5).

It is mere matter of design choice to secure the stator to a pallet, since Anderson teaches the clamping of the stator to the upper end of bars (Col. 11, lines 43-47) to position the stator within a stator lead separating device (Fig. 1, 5) and it appears that the invention would perform equally well with this securing process.

As applied to claims 5, 6 and 12, Anderson teaches a method of inserting windings, which reads on applicants' claimed invention, except for using a clamp to secure the gathered stator leads.

It is mere matter of design choice to use a clamp to secure the gathered stator leads, since Anderson teaches a stator lead separating device (Fig. 1, 1) with fingers (Fig. 1, 7) to secure the gathered stator leads.

As applied to claim 7, Anderson teaches a method of inserting windings, which reads on applicants' claimed invention, except for utilizing a motorized apparatus to drive the lead separator (Fig. 12, 11 or 13) through the stator (Fig. 12, 3).

It would be obvious to one of ordinary skill in the art at the time the invention was made to use a motorized apparatus to drive the lead separator through the stator, since it is known in

the art that the lead separator is being energized to move from bottom position to the top (Fig. 12-14, 11 or 13; col. 11, lines 47-50).

As applied to claim 11, Anderson teaches a method of inserting windings, which reads on applicants' claimed invention, except for providing a lead separator with the same number of teeth as the number of stator leads.

It would be obvious to one of ordinary skill in the art at the time the invention was made to provide a lead separator (Fig. 3, 11) with the same number of teeth or fins (Fig. 3, 45 or 47) as the number of stator leads in order to insert all the stator leads into the stator slots (Col. 11, lines 59-64).

As applied to claim 13, Anderson teaches a method of inserting windings, which reads on applicants' claimed invention, except for removing the stator (Fig. 12-14, 3), stator clamping system (Fig. 12, 9), and lead separator (Fig. 12, 11) from the lead separating device or base plate (Fig. 2, 5) for movement to another electric motor manufacturing device.

It would be obvious to one of ordinary skill in the art at the time the invention was made to do so in order to clean up or repair the lead separator system for better production runs of electric motor manufacturing devices.

Allowable Subject Matter

8. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M - F, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Phan
Examiner
Art Unit 3729

tp
December 9, 2005



A. DEXTER TUGBANG
PRIMARY EXAMINER